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Letter dated 18 July 2003 from the Secretary-General addressed to the President of the Security Council

In accordance with article 4, paragraph 13, of the Peace Agreement of 12 December 2000, the Eritrea-Ethiopia Boundary Commission has transmitted to the United Nations the Decision pursuant to article 15 B of the Commission's demarcation directions. The Decision and transmittal letter, dated 15 July 2003, are attached to the present letter.

I should be grateful if you could bring it to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

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Annex

Letter dated 15 July 2003 from the Registrar of the Eritrea-Ethiopia Boundary Commission addressed to the Secretary-General

Article 4, paragraph 13, of the Agreement of 12 December 2000 between the Democratic Republic of Ethiopia and the State of Eritrea provides as follows:

> "Upon reaching a final decision regarding delimitation of the borders, the Commission shall transmit its decision to the parties and Secretaries-General of the OAU and the United Nations for publication ...".

In the spirit of the language of the 12 December 2000 Agreement, the President of the Boundary Commission has requested me to transmit to you and the Interim Chairperson of the African Union the attached text of the Commission's Decision pursuant to article 15 B of the Commission's Demarcation Directions.

(*Signed*) Bette E. **Shifman**
Registrar of the Boundary Commission

Enclosure

7 July 2003

Eritrea-Ethiopia Boundary Commission

Decision pursuant to Article 15B of the Commission's Demarcation Directions

1. In its Order of 9 February 2003, the Commission decided that a difference which had arisen over the appointment of Field Liaison Officers (FLOs) should be dealt with in accordance with the procedure set out in Article 15B of the Demarcation Directions. In accordance with that procedure, the Special Consultant prepared a report and transmitted it to the Commission and to the Parties. The Parties communicated their comments to the Commission within the fifteen-day period stipulated in Article 15B.

2. The Commission has carefully considered the Special Consultant's report and the comments of the Parties. The Commission takes note of difficulties which have arisen in the initial appointment of FLOs, attributable to a lack of specificity in appointment procedures, notably differences regarding the appointment of currently serving military officers. The Commission has concluded that it is important now to put aside whatever difficulties may have arisen and move forward to achieve an expeditious demarcation of the boundary laid down in its Delimitation Decision.

3. Consequently, the Commission had decided that now FLOs need to be appointed for the remaining demarcation activity along this boundary, under more detailed appointment procedures. The Parties shall appoint these FLOs forthwith, in accordance with the provisions of Article 6B of the Demarcation Directions, which is hereby amended as follows:

   a. Paragraph B of Article 6 of the Demarcation Directions shall be renumbered B(i).

   b. There shall be added a new paragraph B(ii) as follows:

      (ii) Field Liaison Officers shall be persons who have not served in that role, otherwise than in an ad hoc capacity, prior to the date of this Decision, and who are not currently serving as military personnel. Notice of each Party's selections as Field Liaison Officers shall be forwarded for information to the other Party and to the Registrar of the Commission and shall be accompanied by the following information in respect of each Field Liaison Officer:

         (a) an up-to-date curriculum vitae, including full name, professional qualifications, current position and occupational responsibilities;

         (b) a record of any military service or responsibilities since 1989.

   c. There shall be added a new paragraph B(iii) as follows:

      (iii) A person's nomination as a Field Liaison Officer becomes effective upon that person's selection by the nominating Party as a Field

Liaison Officer and the required accompanying information being forwarded to the Commission and the other Party. Should any disagreement arise with regard to a person's nomination as a Field Liaison Officer, that disagreement shall be resolved by the Commission, whose decision shall be final.

d. There shall be added a new paragraph B(iv) as follows:

(iv) In the event of replacement of a Field Liaison Officer, the Party making the replacement shall follow the procedure set forth in sub-paragraph (ii) above.

7 July 2003
Signed by the Commission:

(*Signed*) Sir Elihu **Lauterpacht**
President

(*Signed*) Prince **Bola Adesumbo Ajibola**

(*Signed*) W. Michael **Reisman**

(*Signed*) Judge Stephen M. **Schwebel**

(*Signed*) Sir Arthur **Watts**

(*Signed*) Dr. Hiroshi **Murakami**
Secretary

(*Signed*) Bette E. **Shifman**
Registrar